

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

STEVE BODNAR,)	
)	
Plaintiff,)	
)	
vs.)	CAUSE NO. 2:05-CV-0198 RL
)	
WILLIAM ALLEN, <i>et al.</i> ,)	
)	
Defendants.)	

OPINION AND ORDER

On May 19, 2005, this court granted the Plaintiff *in forma pauperis* status pursuant to 28 U.S.C. § 1915(b), and directed the agency having custody of him to send the clerk of the court an initial partial filing fee of \$5.63 from his prisoner trust account. On June 30, 2005, the agency sent \$1.32, but has not sent any further payments. Presumably, the Plaintiff has not had any income since June.

There is no information allowing the court to determine when the agency will be able to forward the initial partial filing fee. Under 28 U.S.C. § 1915(b)(4), no prisoner shall be prohibited from filing a civil action because he has no assets or other means of paying the initial partial filing fee, so the court will waive the payment of the rest of the initial partial filing fee in this case prior to screening the complaint pursuant to 28 U.S.C. § 1915A. The Plaintiff is, of course, still obligated to pay the full filing fee as required by 28 U.S.C. § 1915(b)(2), and the agency is still obligated under the court's order pursuant to § 1915(b) to forward payments to the clerk of this court under the terms set forth in that order.

For the foregoing reasons, the court **DIRECTS** the clerk to **FILE** the complaint in this case but to not forward the complaint to the Marshals Service until the court has screened the complaint

pursuant to 28 U.S.C. § 1915A.

SO ORDERED this 12th day of October, 2005.

s/ Paul R. Cherry
MAGISTRATE JUDGE PAUL R. CHERRY
UNITED STATES DISTRICT COURT

cc: All counsel of record
Pro se Plaintiff